

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KEVIN S. EPPERSON,	§
	§
Defendant Below-	§ No. 285, 2005
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID. 9408009291
Plaintiff Below-	§
Appellee.	§

Submitted: August 16, 2005
Decided: September 19, 2005

Before **BERGER, JACOBS**, and **RIDGELY** Justices.

ORDER

This 19th day of September 2005, after careful consideration of the appellant's opening brief and the State's motion to affirm, we find it manifest that the judgment of the Superior Court should be affirmed on the basis of the Superior Court's well-reasoned decision dated June 17, 2005. The Superior Court did not err in concluding that Epperson's sixth motion for postconviction relief was time-barred and that Epperson had failed to overcome this procedural hurdle.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice